

DIST/OFFICE	DOCKET YR.	NUMBER	FILING DATE MO. DAY YEAR	J	N/S	O	R	H 23	DEMAND \$	18	OTHER	JUDGE NUMBER	JURY DEM.	DOCKET YR.	NUMBER
8510/4	76	0388	7 16 76	4	190	1	12					8510		76	0388-C

## PLAINTIFFS

TULSA MACHINE WORKS, INC.

## DEFENDANTS

CHAMBERSBURG ENGINEERING CO.,  
A & A MACHINERY CORP. and  
R. L. JEFFRIES TRUCKING CO.,  
INC.

## CAUSE

Recovery of purchase price of machinery sold by plaintiff and, in the alternative, recovery of damages to property.

## ATTORNEYS

Lance Stockwell  
1300 National Bank of Tulsa Bldg.  
Tulsa, OK 74103  
583-1777

Donald Church (Jeffries Trucking)  
501 Philtower Building  
Tulsa, OK 74103  
583-8156

Robert B. Bird, (A&A Mach. Corp)  
BIRD, McBRIDE & HOCHDERFFER  
Eight Main Place  
Stillwater, Okla. 74074 624-1234

John M. Sharp (Chambersburg Eng.)  
Thomas J. Kirby  
Fifth Floor  
Oklahoma Natural Bldg.  
Tulsa, OK 74119 585-8141

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IF CASE WAS  
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## FILING FEES PAID

DATE

RECEIPT NUMBER

C.D. NUMBER

## STATISTICAL CARDS

CARD DATE MAILED

JS-5 8-1-76

JS-6 1-1-78

DATE 1976	NR.	PROCEEDINGS
7-16	1.	Complaint, filed. Summons issued. ph
8-6	2.	Separate ans. of R. L. Jeffries Trucking Co., Inc., filed. ph
8-10	--	Summons, ret & filed: Served Chambersburg Engineering Co. by serving Thomas Palmer (Vice President) on 7-30-76 at Chambersburg, Penn; Served A & A Machinery Corp. by serving Carl Sommer, Vice Pres. on 7-26-76 at Long Beach, NY; Served R. L. Jeffries Trucking Co., Inc. by serving D. J. Campbell, Sec/Treas. on 7-20-76 at Evansville, Indiana. (USM \$33.36)ph
8-19	3.	Appl. of deft. Chambersburg Engineering Co. for ext. of time to ans. filed. ph
8-19	4.	Order, filed, granting Chambersburg Engineering Co. until 9-3-76 to ans. (JCS-CC)ph cps mld by deft. counsel
9-3	5.	Motion of deft. Chambersburg Engineering Co. for ext of time to plead or ans., filed. ph <i>ota 9</i>
9-7	6.	Order, filed, granting Chambersburg Engineering until 10-4-76 to plead or ans., (HDC-J)ph cps mld
9-7	7.	Answer and Cross Complaint of deft A&A Machinery Corp., filed. lm
9-17	8.	Ans. of R. L. Jeffries Trucking to second cross-complaint., filed. ph
9-21	9.	Ans. of Tulsa Machine Works to third cross-complaint of A & A Machinery, filed. ph
9-28	10.	Motion of deft. Chambersburg for ext. of time to ans. cross-complaint of deft. A & A Machinery, filed. ph <i>ota 9</i>
9-28	11.	Brief of Chambersburg in support of its motion for ext. of time to ans. cross-complaint, filed. ph
9-29	12.	Order, filed, granting Chambersburg Engineering until 10-7-76 to ans. cross-complaint of A & A Machinery. (HDC-J)ph cps mld
10-4	13.	Answer of def. Chambersburg Eng. to 1st cross-complaint of A&A, filed. rm
10-4	14.	Answer of def. Chambersburg Eng. to pltf. complaint, filed. rm
10-6	MO:	Case set for PT hearing 1-20-77 at 2:00 p.m. (HDC-J)hm
11-10	15.	First set of interogs. to R. L. Jeffries Trucking Co., Inc., filed. ph
11-22	16.	Notice of deposition of Joe Madison on 1-13-77, filed. ph
12-10	17.	Appl. of R. L. Jeffries Trucking Co. for ext. of time to ans. interogs. of Tulsa Machine Works, Inc., filed. ph <i>ota 9</i>
12-13	18.	Order, filed, granting deft. R. L. Jeffries Trucking until 1-10-77 to ans. interogs. (HDC-J)ph cps mld
<u>1977</u>		
1-7	19.	Appl. of R. L. Jeffries Trucking for ext. of time to ans. interogs. of Tulsa Machine Works, Inc., filed. ph <i>ota 9</i>
1-7	20.	Order, filed, granting R. L. Jeffries Trucking until 2-9-77 to ans. interogs. (HDC-J)ph cps mld
1-11	21.	Pltf's request for ext. of time within which to complete discovery, submit PT order & for continuance of scheduled PT conference, filed. hm
1-11	22.	Order, filed, that Pltf. is given to 3-31-77 to complete discovery & that PT hearing set for 1-20-77 is stricken, to be reset. (HDC-J)hm (copies mailed by pltf. counsel)
1-17	MO:	Case set for PT hearing on 4-5-77 at 12:30 p.m. (HDC-J)ph notices mld
1-31	23.	Deft's answers to interrog., filed. hm (ans. of R. L. Jeffries)
1-31	MO:	Case reset for PT hearing 4-1-77 at 12:30 p.m. (HDC-J)hm
12-3	24.	Interogs. of R. L. Jeffries to Tulsa Machine Works, filed. ph

(CONTD)

## CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. <u>76-C-388-C</u>
TULSA MACHINE WORKS		CHAMBERSBURG ENGINEERING	PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	
1977 2-8	25.	Notice by pltf. of taking deposition of Joe Madison in New York on 3/21/77, filed. rm	
2-25	26.	Answers of pltf. to interrogatories, filed. rm	
3-7	MO:	Case set for PT hearing on 5-3-77 at 2:00 p.m. (HDC-J)ph	
3-21	MO:	Case stricken from PT hearing of April 1, 1977, and <u>reset</u> for PT hearing on Tues. May 3, 1977, at 2:00 p.m. (HDC-J)ph notices mld	
3-23	27.	Deft. R. J. Jeffries Trucking's interrogs. and requests for admissions to A&A Machinery Corp., filed. ph	
3-23	28.	Deft. R. L. Jeffries Trucking's interrogs. and requests for admissions to Chambersburg Engineering, filed. ph	
3-23	29.	Deft. R. L. Jeffries Trucking's requests for admissions under Rule 36, to Tulsa Machine Works, filed. ph	
3-30	30	Motion of Deft. Cahmbersburg Engineering Co. for Leave to Serve a Counterclaim and Cross-Claims by Supplemental Pleading. fld. 0 to J. ho	
4-1	MO:	It is ordered by the Court that parties file a resp. brief within 10 days to the Motion of deft. Chambersburg Engr. Co. for leave to serve a counterclaim and cross-claims by supplemental pleading. (HDC-J)ph ltr mld	
4-7	31.	Resp. of Tulsa Machine Works to mo/Chambersburg's Engineering co. for leave to serve a counterclaim and cross-claims by suppl. pleadings, filed. (in letter form)ph	
4-8	32.	Resp. of R. L. Jeffries Trucking Co., Inc. to mo/Chambersburg Engr. for leave to file a counterclaim and cross-claims, filed. ph	
4-8	33.	Order, fld., granting leave to Chambersburg Engineering Co. to serve a counterclaim and cross-claims by supplemental pleading. Parties have to and including 5-8-77 to plead or ans. (HDC-J)v -cps. mld.	
4-8	34.	Cross-Claim of Deft. Chambersburg Engineering Co. against R. L. Jeffries Co., Inc. and Cross-Claim of Deft. Chambersburg against A & A Machinery Corp. and Counterclaim against Tulsa Machine Works, Inc., fld. v -cps. mld.	
4-19	35.	Resp. of Tulsa Machine Works to requests for admissions, filed. ph	
4-21	36.	Pltf.'s Second Set of Interrogs. to R. L. Jeffries Trucking Co., INC., fld. v	
4-22	37.	Deft. A&A Machinery's ans. to interrogs. propounded by R. L. Jeffries Trucking Co., filed. ph	
4-22	38.	Ans. of Tulsa Machine Works to Deft's. (Chambersburg) Counterclaim, filed. nb	
4-22	39.	Answer of deft. Chambersburg to interrogs. & response to requests for admissions proupounded by deft. Jeffries, filed.k	
4-28	40.	Request of Deft. Chambersburg Engineering Co. to Deft. R. L. Jeffries Trucking Co., Inc. for Admissions of the Truth of Facts, filed. njb	
4-28	41.	Request of Deft. Chambersburg Engineering Co. to Pltf. Tulsa Machine Works, Inc. for Admissions of the Truth of Facts, filed. njb	
4-28	42.	Request of Deft. Chambersburg Engineering Co. to Deft. A & A Machinery Corp. for Admissions of the Truth of Facts, filed. njb	

## CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. _____
Tulsa Machine Works		Chamberburg Eng.	PAGE <u>4</u> OF <u>2</u> PAGES
DATE 1977	NR.	PROCEEDINGS	
4-28	43.	Interrogatories of Deft. Chambersburg Engineering Co. to Deft. R. L. Jeffries Trucking Co., Inc., filed. njb	
4-28	44.	Interrogatories of Deft. Chambersburg Engineering Co. to Deft. A & A Machinery Corp., filed. njb	
4-28	45.	Interrogatories of Deft. Chambersburg Engineering Co. to Pltf. Tulsa Machine Works, Inc., filed. njb	
4-28	46.	Pltf's request for production of docuemnts and things, filed. ph	
4-29	47.	Answer of A & A Machinery Corp. to cross-claim of Chambersburg Engr. Co., filed. g	
4-29	48.	Answer of deft. R. L. Jeffries Trucking Co. to cross-claim of deft. Chambersburg Engineering Co., filed.k	
5-2		Deposition of Joseph Madison, filed. g	
5-2	49.	Response of R. L. Jeffries Trucking Co. to request for prod. of documents, filed. ph	
5-3	50.	Ans. to interrogs. of deft. Chambersburg Engr. Co. to deft. A&A Machinery Corp, filed. ph	
5-3	51.	Deft. A&A Machinery's resp. to request of deft. Chambersburg Engr. Co. to deft. A&A Machinery Corp. for admissions of the truth of facts., filed. ph	
5-3	---	Pre-trial conf. held. Statements made. Discovery not complete. Parties given to 7/8/77 to complete discovery. PT Order signed and filed in open ct. Trial (non-jury) set for 8/15/77 (est. 1½ das.). Trial briefs, FF/CL and proposed testimony to be filed by 7/15/77; response, if desired, by 7/22/77. (HDC-J)rm	
5-3	52.	Pre-Trial Order, signed and filed in open ct.(HDC-J)rm-copies mailed	
5-12	--	Transcript of Proceedings of May 3, 1977, on Pretrial Hearing held before Judge Cook, filed. (TGB-Shrthnd. Reporter) njb	
5-12	53.	Answers to Pltf's 2nd set of Interrog. propounded to R.L. Jeffries Trucking Co., filed. njb	
5-18	54.	Response of Tulsa Machine Works to interrog. of Chambersburg, filed.rm	
5-18	55.	Response of pltf. to req. for adm. of deft. Chambersburg, filed.rm	
5-19	56.	Second set of interrog. of R. L. Jeffries to Chambersburg, filed.rm	
5-19	57.	Second set of interrog. of R. L. Jeffries to pltf., filed. rm	
5-19	58.	Request by deft. Jeffries for prod. of documents from Chambersburg, filed. rm	
5-23	59.	Ans. of R. L. Jeffries Trucking Co. to interrogs. and requests for adm. of Chambersburg Engineering Co., filed. ph	
5-25	--	Deposition of Stanley J. Harshman, taken on 4/8/77, on behalf of deft. filed. (F. L. Peterson-CR) (fees pd by deft.)	
5-25	--	Deposition of Nelson Wilkins, on behalf of defts., taken on 4/8/77, filed. rm (F. L. Peterson-CR) (\$57 pd by defts.)	
6-17	60.	Ans. of deft. Chambersburg to second set of Interrog. propounded by deft. R. L. Jeffries Trucking, filed. hm	
6-17	61.	Resp. of deft. Chambersburg to req. for prod. of documents of deft. R. L. Jeffries Trucking, filed. hm	
6-17	62.	Proposed Amendments to Pretrial Order, filed. (HDC-J)y -cps. mld,	

## CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. _____
Tulsa Machine Works		Chamberburg Eng.	PAGE <u>5</u> OF <u>3</u> PAGES
DATE	NR.	PROCEEDINGS	
1977			
6-21	63	Pltf. ans. to interrog. propounded by R. L. Jeffries Trucking, Co., Inc. fld. ho	
6-21	64.	Pltf's request for prod. of documents and things, filed. hm	
6-22	65.	Objections of Chambersburg Engr. to portions of Proposed Amendments to Pre-trial orders, filed, in letter form. ph	
7-1	66.	Response of R. L. Jeffries Trucking Co. to pltf's addit. request for documents, filed. ph	
7-1	67.	Pltf's notice of taking depos. of Red Kratzer 7-11-77, filed. ph	
7-6		Deposition of Chambersburg Engineering Co., by Paul John, taken by pltf. in Commack, N.Y. on 3-21-77. hm	
7-15	68.	Pltf. proposed FF/CL, filed. rm	
7-15	69.	Pltf. trial brief, filed. rm	
7-15	70.	Deft. Chambersburgs suggested FF/CL, filed. rm	
7-15	71.	Trial brief of deft. Chambersburg, filed. rm	
7-19	72.	Trial brief of deft. A&A Machinery, filed. rm	
7-20	73.	Trial brief of R. L. Jeffries Trucking Co., inc., filed. ph	
7-21	MO:	In view of the fact that A&A and R. L. Jeffries Trucking were late in filing their trial briefs, Chambersburg Engr Co. & Tulsa Mach. Works are given until 7-29-77 to file reply brief. (HDC-J)ph	
7-21	74.	Proposed FF & CL of R. L. Jeffries Trucking Co., Inc., filed. lm	
7-21	75.	Jeffries motion for order compelling deft. and cross claimnant Chambersburg to produce information and documents heretofore requested, filed. lm	
7-21	—	Ordered by the Court that deft. and cross claimnant Chambersburg is granted ten days from this date to file a response to Jeffries' motion for Order compelling discovery. (HDC-J)lm ltr mld.	
7-22	76.	Response of Jeffries to trial briefs of A&A Machinery Corp. and Tulsa Machine Works, Inc., filed. lm	
7-22	77.	Response of Jeffries to Chambersburg trial brief, filed. lm	
7-26	78.	Deft. A&A Machinery's list of witnesses, filed. ph	
7-26	79.	Resp. of A&A to trial briefs of Tulsa Machine Works, Inc. and R. L. Jeffries Trucking Co., filed. ph	
7-26	80.	Resp. of A&A Machinery Corp. to Chambersburg Trial brief, filed. ph	
7-27	81.	Deft. R. L. Jeffries Trucking Co's proposed amendment to pre-trial order, filed. (HDC-J)ph cps mld to movant	
7-29	82.	Reply brief of Chambersburg Engr. Co. to trial brief of R. L. Jeffries Trucking Co., Inc., filed. ph	
7-29	83.	Pltf's resp. to trial briefs of defts., filed. ph	
8-1	84.	Resp. of Chambersburg Engr. Co. to motion for order compelling discovery, filed. ph	
8-2		Sub. ret. & fld: served Bobby Gene Hodge 8-2-77. (USM \$2.48)g	
8-4	--	Deposition of Milton L. Kratzer, filed. ph	
8-9	---	Civil subpoena to testify, retd. & filed. Served Bobby Gene Hodge in Tulsa on 8/9/77. rm	

(COTD)

## CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. <u>76-C-388</u> -C
TULSA MACHINE WORKS		CHAMBERSBURG ENGINEERING	PAGE <u>6</u> OF <u>3</u> PAGES
DATE	NR.	PROCEEDINGS	
8-9-77	85.	Order, filed, that deft. Jeffries mo/compel was not timely filed and is overruled.(HDC-J)rm-copies mailed	
8-15	MO:	Case called for non-jury trial. Parties announce ready. Case continued until Monday, Aug. 29, 1977 at 9:30 a.m. (HDC-J)hm	
8-24		Return of USM service of Civil Subpoena, fld. Served Bobby Gene Hodge on 8-22-77 at Tulsa, OK . (USM \$2.24) ra	
8-26	--	Case continued for N/J trial until 8-30-77 at 10:00 a.m. (HDC-J)ph parties called	
8-31	MO:	Case tried to the Court Aug. 30 & 31. Parties announce ready. Parties waive opening statements. Pltf. presents case in chief w/test. of witnesses, introduction of exhibits & rests. Defts. each present case in chief w/test. of witnesses, introduction of exhibits and rest. Pltf. presents rebuttal evid. w/test. of witnesses & rests. Pltf. offers portions of test. of Milton L. Kratzer by depos. & over obj. of deft. Jeffries, it is received into evid. All parties rest. Court takes case under advisement & will enter an order. (HDC-J)hm	
8-31		Trial exhibits, filed. (with file)hm	
12-30	86.	Findings of fact and conclusions of law, filed. (HDC-J)hm (cps mailed)	
12-30	87.	Judgment, filed and entered, that (1) on CEC's cross-claim against A&A, judgment is entered in favor of Chambersburg against A&A in sum of \$3,890.63, plus int. at rate of 6% per annum from 7-9-76 to this date, plus reasonable atty. fee on cross-claim; (2) on A&A's cross-claim against CEC, judgment is entered in favor of Chambersburg against A&A & is awarded a reaonsable atty. fee on defense of this cross-claim; (3) on A&A's counterclaim against TMW, judgment is entered in favor of A&A against Tulsa Machine Works in sum of \$6,500.00, plus int. at rate of 6% per annum, from 7-19-76 to this date, plus an amt. equal to judgments entered in favor of Chambersburg against A&A in (1) & (2), plus atty. fee in prosecution of this c'claim; (4) on TMW's claim against A&A, judgment is entered in favor of A&A against Tulsa Machine Works & is awarded atty. fee in defense of this claim; (5) on TMW's claim against CEC, judgment is entered in favor of Chambersburg against TMW; (6) on TMW's claim against Jeffries, judgment is entered in favor of R. L. Jeffries Trucking against TMW; (7) on A&A's cross-claim against Jeffries, judgment is entered in favor of Jeffries & against A&A; (8) On CEC's cross-claim against Jeffries, judgment is entered in favor of Jeffries against Chambersburg; (9) on CEC's counterclaim against TMW, judgment is entered in favor of TMW against CEC. Parties who have been awarded atty. fees are given 10 days to submit verified statements of services rendered; responses due 10 days thereafter. (HDC-J)hm (copies mailed)	
1-9-78	88.	Statement of atty. fees incurred on behalf of deft. Chambersburg, filed.rm	
1-10	89.	Statements of services rendered by Robert B. Bird, filed. ph	
1-12	90	Amended statement of services rendered by Robert B. Bird, fld. ho	
1-17	91.	Pltf's applic. for ext. of time to respond to req. for atty. fees, filed. hm	
1-18	92.	Order, filed, granting pltf. until 2-3-78 to respond to statements of attys' fees. (HDC-J)hm (cps to pltf.)	

## CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF TULSA MACHINE WORKS, INC.	DEFENDANT CHAMBERSBURG ENGINEERING CO., et al	DOCKET NO. <u>76-C-388-C</u> PAGE <u>7</u> OF <u>4</u> PAGES
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DATE	NR.	PROCEEDINGS
<u>1978</u>		
2-3	93.	Pltf's resp. to amended claim of atty's fees of A&A Machinery Corp., filed. ph
2-3	94.	Pltf's resp. to claim of attys' fees of Chambersburg Engr., Co., filed.ph-
3-28	95.	Order, filed, that the Court awards the following sums as reasonable atty fees: \$3,780 in favor of Chambersburg Engr and against Tulsa Machine Works; Sum of \$3,000 is awarded in favor of A&A Machinery and against Tulsa Machine Works. (HDC-J)ph cps mld
4-6	96.	Release and satisfaction of judgment of Chambersburg Engr. Co. releasing all parties from all liability in respect to said cause and judgment, filed. ph
4-11	97.	Release and satisfaction of Judgment of A & A Machinery Corp. releasing all parties from all liability in respect to said judgment, filed. ph
6-6-78	--	Deposition of Bobby Gene Hodge taken on 4-8-77, filed. (F.L. Peterson-CSR)ph
<u>1980</u>		
8-7	--	DEPOSITION of Bobby Gene Hodge returned to deflt. counsel. hm

## CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF	DEFENDANT	DOCKET NO. _____ PAGE ____ OF ____ PAGES
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DATE	NR.	PROCEEDINGS
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